

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

INTERNATIONAL FINANCIAL SERVICES CORPORATION

Plaintiff

v. § Cause No. _____

FIRST FINANCIAL BANKSHARES,
INC., FIRST STATE BANK, TITAN
BANK, BANK OF AMERICA, PECO
FEDERAL CREDIT UNION, MINERAL
WELLS BANCSHARES, INC., AND
FIRST CONVENIENCE BANK.

Defendants.

**INTERNATIONAL FINANCIAL SERVICES CORPORATION'S APPLICATION FOR
WRITS OF EXECUTION (GARNISHMENT) AFTER JUDGMENT**

Plaintiff International Financial Services Corporation ("IFSC") files this its Application for Writs of Garnishment (the "Application"), pursuant to Federal Rules of Civil Procedure 64 and 69 against First Financial Bankshares, Inc., First State Bank, Titan Bank, Bank of America, Poco Federal Credit Union, Mineral Wells Bancshares, Inc., and First Convenience Bank (collectively, the "Garnishees"), and in support thereof would respectfully show the Court as follows:

1. IFSC ("Garnishor") obtained a judgment (the "Judgment") from and against Albert Ricon and Heidi Ricon ("Judgment Debtors"), awarding Garnishor the amount of \$194,612.50, plus post-judgment interest (the "Judgment Amount"). A true and correct copy of the Judgment is attached hereto as **Exhibit A** and incorporated herein by reference for all purposes. The Judgment was domesticated in Texas in the United States District Court for the Northern District of Texas, Fort Worth Division, on August 5, 2014 (the "Domesticated

Judgment"). A true and correct copy of Domesticated Judgment is attached hereto as **Exhibit B** and incorporated herein by reference for all purposes.

2. The Judgment is final, valid, subsisting and remains unsatisfied. The Judgment Debtors are liable for the entire Judgment Amount, and no payments have been made to date by the Judgment Debtors to satisfy any portion of the Judgment Amount.

3. Within Garnishor's knowledge, the Judgment Debtors do not possess property within Texas subject to execution sufficient to satisfy the Judgment.

4. Garnishee First Financial Bankshares, Inc. is a Texas-based financial institution headquartered in Abilene, Texas. Garnishee First Financial Bankshares, Inc. is subject to the jurisdiction of this Court. Service of the Writ of Garnishment may be made upon Garnishee First Financial Bankshares, Inc. by serving its registered agent, F. Scott Dueser at 400 Pine Street, Abilene, Texas 79601.

5. Garnishee First State Bank of Mineral Wells is a Texas-based financial institution headquartered in Mineral Wells, Texas. Garnishee First State Bank of Mineral Wells is subject to the jurisdiction of this Court. Service of the Writ of Garnishment may be made upon Garnishee First State Bank of Mineral Wells by serving its registered agent, Riley C. Peveto at 101 SE 1st Avenue, Mineral Wells, Texas 76067.

6. Garnishee Titan Bank is an assumed name for First National Bank – Graford. First National Bank - Graford is a National Charter Bank headquartered in Mineral Wells. Garnishee Titan Bank is subject to the jurisdiction of this Court. Service of the Writ of Garnishment may be made upon Garnishee Titan Bank by serving its President Mick Hogan at 1701 E. Hubbard St., Mineral Wells, Texas 76067.

7. Garnishee Bank of America is a North Carolina-based financial institution registered to do business in Texas. Garnishee is therefore subject to the jurisdiction of this Court. Service of the Writ of Garnishment may be made upon the Garnishee Bank of America by serving its registered agent, C T Corporate System, 1999 Bryan Street, Suite 900, Dallas, Texas 75201-3136.

8. Garnishee Poco Federal Credit Union is a Texas-based financial institution headquartered in Mineral Wells, Texas. Garnishee Poco Federal Credit Union is subject to the jurisdiction of this Court. Service of the Writ of Garnishment may be made upon Garnishee Poco Federal Credit Union by serving its President, Jerry D. Howard at 6201 Highway 180 East, Mineral Wells, Texas 76067.

9. Garnishee Mineral Wells Bancshares Inc. is a Texas-based financial institution headquartered in Mineral Wells, Texas. Garnishee Mineral Wells Bancshares Inc. is subject to the jurisdiction of this Court. Service of the Writ of Garnishment may be made upon Garnishee Mineral Wells Bancshares Inc. by serving its registered agent, Riley C. Peveto at 101 SE 1st Avenue, Mineral Wells, Texas 76067.

10. Garnishee First Convenience Bank is an assumed name for First National Bank of Texas. First National Bank of Texas a Texas-based financial institution headquartered in Killeen, Texas. Garnishee First Convenience Bank is subject to the jurisdiction of this Court. Service of the Writ of Garnishment may be made upon Garnishee First Convenience Bank by serving its President, Robert W. Hoxworth at 507 North Gray Street, Killeen, Texas 76541.

11. Garnishor believes that Garnishees are indebted to the Judgment Debtors or have in their possession effects belonging to the Judgment Debtors. Garnishor is aware, upon information and belief, of account(s) the Judgment Debtors have with Garnishees. Garnishor has

reason to believe, upon information and belief, that the Judgment Debtors still maintain such account(s) with Garnishees. Specifically, Judgment Debtors may maintain account(s) in the name of Albert Rincon and/or Heidi Rincon.

12. Garnishor is not seeking to injure or harass Garnishees or the Judgment Debtors by suing out writs of garnishment. Garnishor is entitled to any funds or assets Garnishees are holding for or are indebted to Judgment Debtors up to the amounts stated in the Judgment.

13. This Application is supported by the Affidavit of Denise Mitchem, attached hereto and incorporated herein by reference as **Exhibit C**.

14. The Writs of Garnishment After Judgment to the Garnishees are attached hereto as **Exhibit D**.

WHEREFORE, for the purposes of enforcing the Judgment, IFSC respectfully requests that a Writ of Garnishment issue against Garnishees and that Garnishor have judgment against Garnishees to satisfy the Judgment Amount as provided by law, together with all costs of court, and such other relief to which Garnishor may be justly entitled.

Dated: August 11, 2014

**COX SMITH MATTHEWS
INCORPORATED**

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**ATTORNEYS FOR JUDGMENT
CREDITOR, INTERNATIONAL
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CORPORATION**

Exhibit A - Judgment
Exhibit B - Domesticated Judgment
Exhibit C - Affidavit of Denise Mitchem
Exhibit D - Writs of Garnishment